

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**MALIBU MEDIA, LLC,**

**Plaintiff,**

**v.**

**Case No. 13-CV-783**

**JOHN DOE,  
Subscriber assigned IP address 75.86.138.0**

**Defendant.**

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**ORDER GRANTING PLAINTIFF'S MOTION FOR EXPEDITED DISCOVERY**

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Before the Court is Plaintiff's Motion for Leave to Serve Third Party Subpoenas Prior to a Rule 26(f) Conference (Docket # 2). The Court having reviewed the entirety of the record to date and the reasonableness of the request finds that Plaintiff established that "good cause" exists for it to serve a third party subpoena on the Internet Service Provider (the "ISP") listed on Exhibit A to the Complaint (Docket # 1-1). *See Sheridan v. Oak Street Mortg., LLC*, 244 F.R.D. 520, 522 (E.D. Wis. 2007).

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiff may serve the ISP with a Rule 45 subpoena commanding the ISP to provide Plaintiff with the true name, address, telephone number, and e-mail address of the Defendant to whom the ISP assigned an address as set forth on Exhibit A to the Complaint. Plaintiff shall attach to any such subpoena a copy of this Order.

2. Plaintiff may also serve a Rule 45 subpoena in the same manner as above on any service provider that is identified in response to a subpoena as a provider of Internet services to the Defendant.

3. If the ISP qualifies a cable operator, as defined by 47 U.S.C. § 522(5), it shall send a copy of this Order to the Defendant in compliance with 47 U.S.C. § 551(c)(2)(B).

4. Plaintiff may only use the information disclosed in response to a Rule 45 subpoena served on the ISP for the purpose of protecting and enforcing Plaintiff's rights as sets forth in its Complaint.

Dated at Milwaukee, Wisconsin this 20<sup>th</sup> day of August, 2013.

BY THE COURT:

*s/Nancy Joseph*

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NANCY JOSEPH

United States Magistrate Judge